

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**DEPUY MITEK, INC.,  
a Massachusetts Corporation,**

**Plaintiff,**

**v.**

**ARTHREX, INC.,  
a Delaware Corporation and**

**PEARSALLS LTD.  
a Private Limited Company of  
the United Kingdom**

**Defendants.**

**Civil No. 04-12457 PBS**

**DePuy Mitek's Local Rule 7.1(a)(2) Certification Of Good Faith Conference In Support Of  
Its Motion To Preclude Arthrex, Inc. and Pearsalls Ltd. From "Supplementing" Their  
Expert Reports and Depositions**

Pursuant to Local Rule 7.1(a)(2), DePuy Mitek, Inc.'s counsel certifies that it met and conferred by telephone in good faith with Arthrex's counsel on August 1, 2006 to resolve or narrow the issues addressed in Mitek's Motion to Preclude Arthrex, Inc. and Pearsalls Ltd. From "Supplementing" Their Expert Reports and Depositions. The parties were unable to resolve the issues.

Dated: August 10, 2006

DEPUY MITEK, INC.,

By its attorneys,

/s/ Michael J. Bonella

Dianne B. Elderkin

Lynn A. Malinoski

Michael J. Bonella

Erich M. Falke

WOODCOCK WASHBURN LLP

One Liberty Place - 46th Floor

Philadelphia, PA 19103

(215) 568-3100

Daniel J. Gleason (BBO #194900)  
Michelle Chassereau Jackson (BBO  
#654825)  
Nutter McClennen & Fish LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, MA. 02210-2604

**CERTIFICATE OF SERVICE**

I certify that I am counsel for DePuy Mitek, Inc. and that a true and correct copy of **DePuy Mitek's Local Rule 7.1(a)(2) Certification Of Good Faith Conference In Support Of Its Motion To Preclude Arthrex, Inc. and Pearsalls Ltd. From "Supplementing" Their Expert Reports and Depositions** was served on counsel for Defendants Arthrex, Inc. and Pearsalls Ltd. on this date via the Court's e-mail notification with the following recipients being listed as filing users for Defendants:

Charles W. Saber  
Dickstein Shapiro  
1825 Eye Street, NW  
Washington, DC 2006  
[saberc@dicksteinshapiro.com](mailto:saberc@dicksteinshapiro.com)

Raymond P. Ausrotas  
Todd & Weld LLP  
28 State Street, 31<sup>st</sup> Floor  
Boston, MA 02109  
[rausrotas@toddweld.com](mailto:rausrotas@toddweld.com)

Dated: August 10, 2006

/s/ Michael J. Bonella  
Michael J. Bonella